

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

JERIMIAH LEE VANCE, )  
                          )  
                         Petitioner, )                        8:18CV278  
                          )  
                         v. )  
                          )  
STATE OF NEBRASKA, )                        MEMORANDUM AND ORDER  
                          )  
                         Respondent. )  
                          )  
\_\_\_\_\_

Petitioner has filed a habeas corpus petition that is 228 pages long. The petition is before me for initial review. The petition violates Rule 2(c)&(d)<sup>1</sup> of the *Rules Governing Section 2254 Cases in the United States District Court*. The petition contains portions, but apparently not all, of the standard form. It also contains a hodgepodge of confusing information, some type written and some hand written.

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<sup>1</sup> In pertinent part, the Rule states:

**(c) Form.** The petition must:

- (1)** specify all the grounds for relief available to the petitioner;
- (2)** state the facts supporting each ground;
- (3)** state the relief requested;
- (4)** be printed, typewritten, or legibly handwritten; and
- (5)** be signed under penalty of perjury by the petitioner or by a person authorized to sign it for the petitioner under 28 U.S.C. § 2242.

**(d) Standard Form.** The petition must substantially follow either the form appended to these rules or a form prescribed by a local district-court rule. The clerk must make forms available to petitioners without charge.

Documents from other cases are copied and interspersed throughout the petition. There are upside down pages and marginal notations. There does not seem to be a signature attesting to the fact that the petition is submitted under penalty of perjury. Instead of simply following the directions on the form and in Rule 2, the petition presents arguments. In short, the petition is an overlong mess. Accordingly,

IT IS ORDERED that the petition for writ of habeas corpus (filing no. 1) is denied without prejudice. The Petitioner is given leave to file an amended petition that must be *received* by the Clerk of Court on or before Monday, August 6, 2018 or this matter will be dismissed without further notice.<sup>2</sup> The Clerk shall mail to Petitioner the standard form for filing habeas corpus petitions. Petitioner is advised to carefully follow the directions in the form and if he does not this matter will be dismissed without further notice. In particular, when filling out the form, Petitioner should not present arguments or attach materials prepared for other cases. My chambers shall bring this matter to my attention on August 7, 2018.

DATED this 2<sup>nd</sup> day of July, 2018.

BY THE COURT:

s/ *Richard G. Kopf*  
Senior United States District Judge

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<sup>2</sup> This time frame includes the prison mail box rule. The amended petition must be *received* on the date indicated.